REMARKS

The present application includes pending claims 1-14 and 36-49, all of which have been rejected. Claims 1, 4-5, 7, 9, 12, 14, 36, 39-40, 42, 44, 47 and 49 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. 7,237,029 ("Hino"). Claims 2-3, 8, 37-38 and 43 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hino in view of U.S. 2004/0003051 ("Krz"). Claims 24 and 40 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hino in view of U.S. 6,363,434 ("Eytchison"). Claims 10 and 45 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hino in view of U.S. 6,580,149 ("Park"). Claims 13 and 48 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hino in view of U.S. 6,510,212 ("Ito"). Claims 11 and 46 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hino in view of U.S. 6,665,384 ("Daum"). The Applicants respectfully traverse these rejections for at least the following reasons:

I. Hino Does Not Anticipate Claims 1, 4-5, 7, 9, 12, 14, 36, 39-40, 42, 44, 47 And 49

The Applicants first turn to the rejection of claims 1, 4-5, 7, 9, 12, 14, 36, 39-40, 42, 44, 47 and 49 as being anticipated by Hino. Claim 1 recites, in part, "**automatically establishing** a communication link between the first system and the at least one media peripheral;" and "**automatically determining authorization** of the performance of the selected operation."

Hino "relates to a remote control system for controlling home appliances from outside the home and a gateway apparatus used for the remote control system, and in particular, to the system and apparatus capable of controlling the home appliances from outside the home with easier operation." Hino at column 1, lines 7-12. The gateway apparatus "includes means for acquiring appliance panel information indicating panel parts of the appliance and an operational range of the panel parts, and means for memorizing gateway apparatus information indicating whether a control command input to the appliance through a network built outside the home." *Id.* at Abstract. Additionally,

the gateway apparatus "further includes means for determining whether or not it is possible to accept the input by making reference to the gateway apparatus information when the control command input is received through the outside network and for producing a control command to the appliance based on the appliance panel information when the acceptance is possible." *Id.* at Abstract. In general, Hino discloses a system that "makes it possible to perform remote control in a similar feeling obtained in operating a front panel of an actual home appliance." *Id.* at Abstract. That is, an operator may control a home appliance remotely.

The Office Action cites Hino at column 8, lines 12-14 and 22-25 as disclosing "automatically establishing a communication link between the first system and the at least one media peripheral." *See* October 12, 2007 Office Action at page 3. This portion of Hino, however, states the following:

> When receiving **an input** of the control command toward the specified home appliance from the control device 60 or the outside network 50 (step 4), the appliance control command producing means 11 in the GW apparatus 10 determines if or not the control command is possible to be accepted on the basis of the GW apparatus information memorized by the GW apparatus information memorizing means 13.
>
> In the case that the acceptance is impossible, the producing means rejects the control command (step 8). On the other hand, if the acceptance is possible, the appliance control command producing means 11 produces a control command (step 6), and the command outputting means 14 outputs the produced control command (step 7).

Hino at column 8, lines 12-25. There is nothing in this passage of Hino, however, that describes, teaches or suggests "**automatically** establishing a **communication link** between a first system and the at least one media peripheral." Instead, this passage discloses that after a **control command is input by a user**, the GW apparatus determines whether that control command is acceptable based on stored apparatus information. If the acceptance is impossible, the control command is rejected. If possible, however, the control command is executed. Nevertheless, a user has to manually **input** a control command, and that input, by definition, is not automatic. Thus,

for at least this reason, the Office Action has not established a *prima facie* case of anticipation with respect to the pending claims because the portion of Hino relied on to disclose "**automatically** establishing a **communication link** between a first system and the at least one media peripheral," does not in fact, describe, teach or suggest the relevant limitations.

Next, the Office Action cites Hino at column 19, lines 4-10 and 21-22 as disclosing "automatically determining authorization of the performance of the selected operation." *See* October 12, 2007 Office Action at page 3. This portion of Hino, however, states the following:

> Further, the information about terminal identification data includes the number of a cellular phone or the ID of a terminal. The user identification information can be set by making use of authentication information at a terminal with an authentication function or information that proves authentication on authentication service.
>
> * * *
>
> In short, any information can be used in the GW apparatus, as long as the information serves as data to identify inputted information in determining whether or not **it is possible to produce a command.**

Hino at column 19, lines 4-10 and 19-22 (emphasis added). This passage of Hino does not describe, teach or suggest "**automatically** determining authorization of the performance of the selected operation." Instead, this passage merely discloses that user identification information can be set by **actively selecting** authentication information at a terminal (as opposed to **automatically** determining). Thus, for at least this reason, the Office Action has not established a *prima facie* case of anticipation with respect to the pending claims because the portion of Hino relied on to disclose "**automatically** determining authorization of the performance of the selected operation," does not, in fact, describe, teach or suggest the relevant limitations.

In response to the Applicants, the Office Action relies on Hino at column 6, lines 48-51 and column 8, lines 1-25. *See* October 12, 2007 Office Action at page 9. Hino at column 6, lines 48-51 states, however, the following:

> 50 and acting as a mediator between communication protocols employed by them, and a control device 60 used for directly inputting control commands into the GW apparatus 10 with no network routed.

This portion of Hino merely discloses that the control device 60 is used to "directly input" control commands. It does not describe that such control commands are **automatically** implemented or carried out. Indeed, even column 8, lines 1-25, which the Office Action cites in an attempt to bolster its argument, clearly and unambiguously states that a user manually inputs control commands.

In particular, Hino states the following:

> When receiving the panel information acquiring request, the GW apparatus supplies to the request sender information about the appliance panel information table (FIG. 3) of a specified home appliance. One the screen of a monitor at the request sender, as exemplified in FIG. 7, a GUI illustrating panel parts which are present in the control panel of the specified home appliance is displayed, though some GUIs are shown in slightly different forms from the actual panel parts. A **user** operates the GUI on the screen, so that a **control command** that corresponds to the operation is sent to the GW apparatus 10.
>
> When receiving **an input of the control command** toward the specified home appliance from the control device 60 or the outside network 50 (step 4), the appliance control command producing means 11 in the GW apparatus 10 determines if or not the control command is possible to be accepted on the basis of the GW apparatus information memorized by the GW apparatus information memorizing means 13.
>
> In the case that the acceptance is impossible, the producing means rejects the control command (step 8). On the other hand, if the acceptance is possible, the appliance control command producing means 11 produces a control command (step 6), and the command outputting means 14 outputs the produced control command (step 7).

Hino at column 8, lines 1-25 (emphasis added). There simply is nothing in this passage of Hino (which the Office Action relies on, as noted above) that describes, teaches or

suggests "**automatically** establishing a **communication link** between a first system and the at least one media peripheral," as recited in claim 1. Instead, this passage discloses that after a **control command** is **input** by a user, the GW apparatus determines whether that control command is acceptable based on stored apparatus information. If the acceptance is impossible, the control command is rejected. If possible, however, the control command is executed. Thus, this passage of Hino relates to whether a control request **actively input** by a user is accepted or rejected. Thus, for at least this reason, the Office Action has not established a *prima facie* case of anticipation with respect to the pending claims because the portions of Hino relied on to disclose "**automatically** establishing a **communication link** between a first system and the at least one media peripheral," do not in fact, describe, teach or suggest the relevant limitations.

For at least the reasons discussed above, the Applicants respectfully submit that a *prima facie* case of anticipation is not established with respect to claims 1 and 36, or the claims that depend therefrom. Thus, the Applicants request reconsideration of these claim rejections.

II. The Proposed Combinations Of References Do Not Render Claims 2-3, 8, 10, 11, 13, 24, 37-38, 40, 43, 45, 46 and 48 Unpatentable

The Applicants respectfully submit that the proposed combination of Hino and Krz does not render claims 2-3, 8, 37-38 and 43 unpatentable for at least the reasons discussed above. The proposed combination of Hino and Eytchison does not render claims 24 and 40 unpatentable for at least the reasons discussed above. The proposed combination of Hino and Park does not render claims 10 and 45 unpatentable for at least the reasons discussed above. The proposed combination of Hino and Ito does not render claims 13 and 48 unpatentable for at least the reasons discussed above. Finally, the proposed combination of Hino and Daum does not render claims 11 and 46 unpatentable for at least the reasons discussed above.

III. Conclusion

In general, the Office Action makes various statements regarding the pending claims and the cited references that are now moot in light of the above. Thus, the Applicants will not address such statements at the present time. The Applicants expressly reserve the right, however, to challenge such statements in the future should the need arise (e.g., if such statements should become relevant by appearing in an Examiner's Answer to an Appeal Brief).

The Applicants respectfully submit that a *prima facie* case of anticipation and/or obviousness has not been established with respect to any of the pending claims for at least the reasons discussed above and request reconsideration of the claim rejections. If the Examiner has any questions or the Applicants can be of any assistance, the Examiner is invited to contact the undersigned attorney for Applicants.

The Commissioner is authorized to charge any necessary fees, or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Respectfully submitted,

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